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Daniel DeNardo  
P.O. Box 100682  
Anchorage, Alaska 99510

IN THE FEDERAL DISTRICT COURT OF ALASKA

Daniel DeNardo

Plaintiff,

vs.

Municipality of Anchorage,  
Chirley Winborg,  
Gil Davis,

Defendants.

Case No. A04-0269 CV

Plaintiff's Discovery Answers

Requests For Admissions

Request for admission no. 1: Please admit that plaintiff DeNardo sought admission to the United States District Court on two separate occasions during one day on or about December 6, 2002.

Response: Plaintiff admits subject to verification of the date.

Request for admission no. 2: Please admit that the first time DeNardo sought admission to the United States District Court he identified himself by producing an expired U.S. Passport.

Response: Object as irrelevant, immaterial, and non-probative to the issues in this case.

Request for admission no. 3: Please admit that at the time of DeNardo's first visit to the United States District Court an officer of the Federal Protection Service advised DeNardo that the expired passport was not acceptable identification.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 4: Please admit that notwithstanding the fact that DeNardo had not produced acceptable identification on his first visit to the United States District Court during one day on or about December 6, 2002, DeNardo was allowed to enter the building and transact his business while in the company of an officer of the Federal Protection Service.

Response: Object as irrelevant, immaterial, and non-probative to the issues in this case because there is no requirement the public show picture identification.

Request for admission no. 5: Please admit that DeNardo had been instructed to produce proper identification upon requesting reentry into the United States District Court.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 6: Please admit that DeNardo returned to the United States District Court for a second time during one day on or about December 6, 2002, and when asked for identification, he again presented the expired passport.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 7: Please admit that DeNardo was denied admission to the United States District Court on his second visit after he again presented the expired passport as identification.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 8: Please admit that officers of the Federal Protection Service then requested that DeNardo leave the entryway to the United States District Court and that DeNardo refused their request.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 9: Please admit that after Anchorage Police Officers Winborg and Davis arrived on the scene, they requested that DeNardo leave the United States District Court and that DeNardo refused their request.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 10: Please admit that Anchorage Police Officers Winborg and Davis advised DeNardo that they would arrest him for trespassing if he did not leave the United States District Court.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 11: Please admit that the Anchorage Police Officers Winborg and Davis did not arrest DeNardo until he refused repeated requests to leave the entry to the United States District Court.

Response: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Request for admission no. 12: Please admit that Exhibit A is a true and correct copy of a citation issued to DeNardo by Federal Protection Services Officer T. Miller for refusing to obey signs and directions.

Response: No exhibit attached.

Request for admission no. 13: Please admit that Exhibit B is a true and correct copy of the citation issued to DeNardo by Anchorage Police Officer Winborg for trespass.

Response: No exhibit attached.

Request for admission no. 14: Please admit that during one day on or about December 6, 2002 DeNardo possessed a valid Alaska Drivers license.

Response: Plaintiff refuses to answer because the question is irrelevant, immaterial, and non-probative of the issues in this case.

Request for admission no. 15: Please admit DeNardo returned to the United States District Court and sought entry by presenting the expired passport for the express purpose of forcing his own arrest by either Federal Protection Service or by the Anchorage Police.

Answer: Object as irrelevant, immaterial, and non-probative because there is no requirement the public show picture identification.

Interrogatory no. 1: Please describe in detail each action of the Municipality or it employees that you contend violated your rights under the United States Constitution or the Alaska Constitution and state which actions you believe violated which rights.

Response: See verified complaint.

Interrogatory no. 2: Explain in detail the basis for your allegation that the Municipality or its employees or agents acted with deliberate indifference and reckless disregard of DeNardo's rights.

Response: See verified complaint.

Interrogatory no. 3: Please explain in detail the basis for your allegation that because of the acts of the Municipality or its employees you experienced "anguish, anxiety, humiliation, sleeplessness and general physical ill feeling."

Response: See verified complaint.

Interrogatory no. 4: Please identify the name, address and telephone number of every health care provider or mental health care provider you consulted or from whom you sought treatment for the feelings of "anguish, anxiety, humiliation, sleeplessness and general ill feeling" that you allege were caused by the Municipality its agents or employees and state whether you had consulted or sought treatment from that provider prior to December 6, 2002.

Response: Mr. DeNardo did not seek medical treatment.

Interrogatory no. 5. Please identify the name address and telephone number of every health care provider or mental health care provider you have ever consulted, or sought treatment from with regard to an emotional, psychological, or psychiatric condition including but limited to feelings of "anguish, anxiety, humiliation, sleeplessness and general physical ill feeling."

Response: Objection. Overbroad, irrelevant, immaterial, and non-probative regarding the cause of action in this case.

Interrogatory no. 6. Please identify each kind of damage for which you seek relief and describe in detail the basis of your demand for damages in the amount of \$5,000,000.00

Response: See verified complaint section V listing compensatory and punitive damages.

Interrogatory no. 7: For each Request for Admission to which you did not respond with an unqualified admission, explain in detail the basis for your refusal to make the admission requested by the Municipality.

Response: Objection. Overbroad, irrelevant, immaterial, and non-probative regarding the cause of action in this case.

Interrogatory no. 8: Please state the name address and telephone number of each person who witnessed any event or action described in your answers to these Interrogatories.

Response: Daniel DeNardo, defendants, and other witnesses as stated in defendants' police reports.

Interrogatory no. 9: Please identify any document known to you which may tend to either support or refute your answers to each Interrogatory, and state the name and address of the custodian of that document.

Response: No documents at this time.

## REQUESTS FOR PRODUCTION

Request for production no. 1: Please produce every document identified in response to Interrogatory 9.

Response: None at this time.

Request for production no. 2: Please sign and return the attached medical release so the Municipality can obtain copies of your treatment records from each of the health care providers or mental health care providers identified in response to these Interrogatories.

Response: Did not seek medical attention.

Dated 7 February 2005.

Signed under penalties of perjury according to 28 U.S.C. § 1746 based on personal knowledge as true and correct.



Daniel DeNardo